UNITED STATES PATENT AND TRADEMARK OFFICE

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Ryan, Mason & Lewis
1300 Post Rd.
Suite 205
Fairfield, CT 06430

EXAMINER
COLBERT, ELLA

ART UNIT	PAPER NUMBER
3624	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/201,749	ONG, PING-WEN
	Examiner	Art Unit	
	Ella Colbert	3624	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 October 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-35</u> is/are pending in the application.

    4a) Of the above claim(s) <u>29-35</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>17 June 2004</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-35 are pending. Claims 1, 8, and 15 have been amended in this communication filed 10/15/04 as Response After Non-Final Action.

2.   Applicants' Response to the Non-Responsive Amendment communication has been considered. The IDS filed 06/17/04 has been considered.

Election By Original Presentation

3.   Newly submitted claims 29-35 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 1-28 are directed to an electronic document having multiple versions, a creation time-stamp, and a domain name associated with the time-stamp and claims 29-35 are directed to identifying a domain of an electronic document, a domain name associated with a first domain for a first time period and a second domain for a second time period. There is nothing in independent claim 29 relating to an electronic document having multiple versions, a creation time-stamp, and a domain name associated with the time-stamp.

Since Applicants' have received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 29-35 have been withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142 (b) and MPEP 821.03.

Claim Objections

4.   Claims 4, 11, 19, 25, and 28 are to objected to because of the following informalities: claim 4 reads "time stamp" and the other claims read "time-stamp". This

is inconsistent in the claims. Do Applicants' mean "time-stamp" or "time stamp"?

Claims 11, 19, and 25 have a similar problem. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claims 1, 8, 15, 16, 22, and 28 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention. Claim 1 recites "... identifying

as a function of said creation time-stamp and said requested time-stamp ...". It is

unclear where Applicants' step is in the claim for the "creation time-stamp". There

appears to be a step missing from the claim. The step is the "creation of the time-

stamp". Claim 8 recites "... receive a request for said electronic document, said request

including a requested time-stamp indicating a time associated with a desired version of

said electronic document and a domain name associated with said time-stamp". This

claim limitation is very unclear as written. Claim 15 has a similar problem. Claim 16

recites "receiving a request for an electronic document associated with said domain

name, said electronic document having multiple versions, each of said versions being

identified by a creation time-stamp indicating a creation time ...". This claim has a

similar problem as claim 1. The step for the creation of the time-step appears to be

missing. When and how was the time-stamp created? Claim 22 has a similar problem

as claims 1 and 15.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8.   Claims 1-7 are rejected under 35 U.S.C. 101 as non-statutory. The method

claims as presented do not claim a technological basis in the body of the claim. Without

a claimed basis, the claim may be interpreted in an alternative as involving no more

than a manipulation of an abstract idea and therefore non-statutory under 35 U.S.C.

101. In contrast, a method claim that includes in the body of the claim at least one

structural/functional interrelationship which can only be computer implemented is

considered to have a technological basis [See Ex parte Bowman, 61 USPQ2d 1669,

1671 (BD. Pat. App. & Inter. 2001) – used only for content and reasoning since not

precedential].

The preamble of claim 1 recites "a method ..." but the body of the claims do not

claim a machine for processing the method steps. The technology is simply implied that

there is an electronic document but nothing is being done with the document in respect

to a machine processing the document.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 1-3 rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman

et al (US 6,006,227), hereafter Freeman in view of (US 6,125,371) Bohannon et al,

hereafter Bohannon in view of (US 5,991,802) Allard et al, hereafter Allard.

With respect to claim 1, Freeman teaches a method for providing an electronic

document (col. 2, lines 19-25), said electronic document having multiple versions (col.

15, lines 44-45), each of said versions identified by a creation time-stamp indicating a

creation time of said corresponding version (the document is identified by a time

indication; col. 4, lines 42- 45), said method comprising the steps of: receiving a

request for the electronic document, the request including a requested time-stamp

indicating a time associated with a desired version of the electronic document and a

domain name associated with said time-stamp (col. 3, lines 61-67 and col. 4, lines 18-

22, Fig. 7- shows a domain name and a time-stamp). Freeman failed to teach,

identifying as a function of the creation time-stamp and the requested timestamp storing

a version of the electronic document having a creation time corresponding to the

requested time-stamp and identifying an address of said version of said the electronic

document corresponding to the requested time-stamp as a function of said requested

time-stamp and said domain name.

Bohannon teaches, identifying as a function of the creation time-stamp and the

requested timestamp a machine storing a version of the electronic document having a

creation time corresponding to the requested time-stamp (col. 5, lines 35-47) and

identifying an address of said version of the electronic document corresponding to the

requested time-stamp as a function of the requested time-stamp and the domain name

(col. 4, lines 64-67 and col. 5, lines 1-18). It would have been obvious to one having

ordinary skill in the art at the time the invention was made to have the identifying as a

function of the creation time-stamp and the requested timestamp storing a version of the

electronic document having a creation time corresponding to the requested time-stamp

and to identify an address of said version of said electronic document corresponding to

the requested time-stamp as a function of said request time-stamp and said domain

name and to modify in Freeman because such a modification would allow Freeman to

have the capability to identify versions of electronic documents.

With respect to claim 2, Freeman teaches, an address identifying the document

includes the creation time-stamp (receiving from a user one or more values indicative of

one or more selected segments of the streams corresponding to selected intervals of

time; col. 3, lines 25-30).

With respect to claim 3, Freeman teaches, the address is a Uniform Resource

Locator ("URL") (Web address; col. 13, lines 35-45).

With respect to claim 4, Freeman and Bohannon failed to teach, the Uniform

Resource Locator ("URL") has an associated request header for indicating said

requested time stamp. Allard teaches, the Uniform Resource Locator ("URL") has an

associated request header for indicating said requested time stamp (a request header;

col. 1, lines 50-60). It would have been obvious to one having ordinary skill in the art at

the time the invention was made to have the Uniform Resource Locator ("URL") have an

associated request header for indicating said requested time stamp and to modify in

Freeman because such a modification would allow Freeman to have the capability to allow the client to pass additional information about the request.

With respect to claim 5, Freeman teaches, transmitting the version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp if a version of the electronic document does not exist with the requested time-stamp (setting the time to the future or past is to reset the time-cursor temporary to a fixed position designated by the user; col. 7, lines 50-67).

With respect to claim 6, Freeman teaches, the request is specified using a browser (copying a Web address from a Web browser; col. 13, lines 35-45).

With respect to claim 7, Freeman teaches, the requested time-stamp is a relative time-stamp (chronological indicators including past, present, and future times; col. 13, lines 30-35).

With respect to claim 8, Freeman failed to teach, a memory and a processor.

Bohannon teaches, a memory (col. 1, lines 31-44) and a processor (col. 1, lines 51-60).

Independent claim 8 is also rejected for the similar rationale given for claim 1.

With respect to claim 9 this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 10 this dependent claim is rejected for the similar rationale given for claim 3.

With respect claim11 this dependent claim is rejected for the similar rationale given for claim 4.

With respect to claim 12 this dependent claim is rejected for the similar rationale given for claim 6.

With respect to claim 13 this dependent claim is rejected for the similar rationale given for claim 5.

With respect to claim 14 this dependent claim is rejected for the similar rationale given for claim 7.

With respect to claim 15, Freeman fails to teach, a computer readable medium having computer readable program code means, the computer readable program code means comprising program code means. Bohannon teaches, a computer readable medium having computer readable program code means, the computer readable program code means comprising program code means (col. 4, line 47-66). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a computer readable medium having computer readable program code means, the computer readable program code means comprising program code means and to modify in Freeman because such a modification would allow Freeman to have the capability to store the code for use in a computer system for inclusion in a computer program having executable code.

This independent claim is also rejected for the similar rationale given for claim 1.

With respect to claim 16, Freeman teaches, receiving a request for the electronic document associated with the domain name, the electronic document having multiple versions, each of the versions being identified by a creation time-stamp indicating a creation time of the corresponding version, the request including a requested time-

stamp indicating a time associated with a desired version of the electronic document in col. 3, lines 61-67 and col. 4, lines 18-22). Freeman failed to teach, identifying as a function of said creation time-stamp and the requested time-stamp, a machine corresponding to a version of the domain name for a time period corresponding to said requested time-stamp and transmitting an indication of the identified machine storing the electronic document corresponding to said requested time-stamp. Bohannon teaches, identifying as a function of the creation time-stamp and the requested timestamp a machine storing a version of the electronic document having a creation time corresponding to the requested time-stamp (col. 5, lines 35-47) and transmitting the electronic document corresponding to the requested time-stamp from the identified machine (col. 4, lines 64-67 and col. 5, lines 1-18). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the identifying as a function of the creation time-stamp and the requested timestamp a machine storing a version of the electronic document having a creation time corresponding to the requested time-stamp and to transmit the electronic document corresponding to the requested time-stamp from the identified machine and to modify in Freeman because such a modification would allow Freeman to have the capability to identify versions of electronic documents.

With respect to claim 17 this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 18 this dependent claim is rejected for the similar rationale given for claim 3

With respect claim 19 this dependent claim is rejected for the similar rationale

given for claim 4.

With respect to claim 20 this dependent claim is rejected for the similar rationale

given for claim 6.

With respect to claim 21 this dependent claim is rejected for the similar rationale

given for claim 7.

With respect to claim 22, Freeman fails to teach, a memory for storing a

database identifying a machine storing an electronic document corresponding to said

domain name for a plurality of time periods; a processor operatively coupled to said

memory configured to receive a request for an electronic document associated with the

domain name, said electronic document having multiple versions, each of said versions

being identified by a creation time-stamp indicating a creation time of the corresponding

version, the request including a requested time-stamp indicating a time associated with

a desired version of the electronic document. Bohannon teaches, a memory for storing

a database (col. 1, lines 45-60) identifying a machine storing an electronic document

corresponding to said domain name for a plurality of time periods (col. 2, lines 63-67

and col. 3, lines 1-6); a processor operatively coupled to said memory (col. 1, lines 51-

60) configured to receive a request for an electronic document associated with the

domain name (col. 5, lines 35-47), said electronic document having multiple versions,

each of said versions being identified by a creation time-stamp indicating a creation time

of the corresponding version, the request including a requested time-stamp indicating a

time associated with a desired version of the electronic document (col. 4, lines 64-67

and col. 5, lines 1-18). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the identifying as a function of the creation time-stamp and the requested timestamp a machine storing a version of the electronic document having a creation time corresponding to the requested time-stamp and to transmit the electronic document corresponding to the requested time-stamp from the identified machine and to modify in Freeman because such a modification would allow Freeman to have the capability to identify versions of electronic documents.

Freeman teaches, access the database as a function of said creation time-stamp and the requested time-stamp to identify a machine corresponding to a version of said domain name for a time period corresponding to said requested time-stamp (col. 4, lines 42-45) and transmit an indication of the identified machine storing electronic document corresponding to the requested time-stamp (col. 3, lines 62-67, col. 4, lines 1-47 and col. 6, lines 8-17).

With respect to claim 23 this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 24 this dependent claim is rejected for the similar rationale given for claim 3.

With respect to claim 25 this dependent claim is rejected for the similar rationale given for claim 4.

With respect to claim 26 this dependent claim is rejected for the similar rationale given for claim 6.

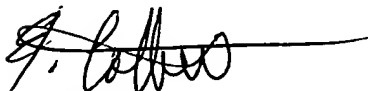With respect to claim 27 this dependent claim is rejected for the similar rationale given for claim 7.

With respect to claim 28 this independent claim is rejected for the similar rationale given for claim 15.

Inquiries

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E. Colbert
December 20, 2004